UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ASHOK K. MANNAVA
281 MURTHA STREET
ALEXANDRIA, VA 22304

EXAMINER
VO, TED T

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	09/985,880	HAMILTON ET AL.
	Examiner	**Art Unit**	
	TED T. VO	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _24 January 2008_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-36_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _4-12,16-24 and 28-36_ is/are allowed.

6)☒ Claim(s) _1-3,13-15 and 25-27_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _06 November 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _01/10/08, 01/24/08, 01/24/08_.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to the amendment filed on 01/24/2008.

Claims 1, 13, 15, 25, 27 are amended.

Claims 1-36 remain pending in the application.

Terms' definition

2.   The known terms are listed in the action to support implicit use in the prior arts.

runtime engine

Computer Desktop Encyclopedia: runtime engine

How to Fix **Runtime** Errors
AskNerd explains what **runtime** errors are and how to fix them
asknerd.net

How to Fix **Runtime** Error
Fixing **Runtime** Error is Simple Just Follow These 4 Simple Steps!
Runtime-Errors.windowsupport.biz

Home > Library > Technology > Computer Encyclopedia

Software that certain applications depend on to run in the computer. The runtime engine must be
running in the computer in order for the application to execute. It provides common routines and
functions that the applications require, and it typically converts the program, which is in an
interim, intermediate language, into machine language.

One might call an operating system a runtime engine because it is always required. Indeed, it "is"
the essential runtime engine. However, an operating system is not classified as a runtime engine,
but it would fall into the "runtime environment" category (see runtime environment).

Runtime Examples

Java programs require the Java Virtual Machine runtime engine in order to run (see Java). The
same goes for Visual Basic programs, which cannot be executed natively in the computer. They
need the runtime module that converts the Visual Basic code into the machine language of the
computer. In a Windows PC, the actual VB runtime module is named VBRUNxxx.DLL, where xxx is
the version number (300, 400, 500, etc.).

Response to Amendment

3.   Applicants' amendment and arguments have been fully considered.

It should be noted that claims 1, 3, 13, 15, 25, and 27 show merely "execution". For example, in claim 1:

"executing said at least one application program by said run-time engine in said handheld mobile wireless client device to create screen definitions <u>from said non-compiled screen definitions</u> with said at least one application program at run-time as if said screen definitions had been defined at compile time".

It should be noted that the term "said at least", is repeated in many places in the claims; it does not know how many applications in the execution and does not know which application is executed.

It should be noted that the claimed recitation is intended to *handheld mobile wireless client device*; however, a standard compute device like a computer is also *handheld mobile wireless client device*. For example, a laptop computer has the same functionality of a standard computer, and it is a handheld device.

In general, even though the claims intended to a certain compute device, it has no further recitations be different with a standard computer running by standard windows. Thus, the claims are implicitly anticipated by an operation in a computer connected via a network implementing a standard Windows or using a standard browser. The type of the operation is known before the

filing date of this application. Such an operation is PALM OS, Windows CE, Windows 95, or

Windows NT etc.

It should be note that Windows/browser can do the same as the execution of the claims.

The windows CE is known as a runtime engine (by terms' definition) for pocketPC, Windows

Mobiles, smartphone, and many types of handheld devices. It allows files, applications to

register and to execute.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and
> distinctly claiming the subject matter which the applicant regards as his invention.

5.   Claims 1-2, 13-15, 25-27 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claims 1, 13, 15, 25 and 27 are unclear. For example, within the limitations of claim 1:

"receiving at least one application program in a handheld mobile wireless client device,

said at least one application program comprising compiled program scripts and non-

compiled screen definitions;

activating said at least one application program in said handheld mobile wireless client

device;

> *instantiating [[a]] said run-time engine in said handheld mobile wireless client device;*
>
> *and*
>
> *executing said at least one application program by said run-time engine in said handheld mobile wireless client device to create screen definitions from said non-compiled screen definitions with said at least one application program at run-time as if said screen definitions had been defined at compile time.",*

the functionality of the claim is unclear. The claim's logic is full of contradiction.

Analysis: The claim recites "receiving at least one application program". Thus, assume that it has received one application program. It recites: said [at least one] application program comprises: *program scripts and non-compiled screen definitions*. This shows a contradiction for the term "one application program".

Now, assume that the number of application programs received at the handheld device is greater than one. In the follows phase of the claim, it further recites executing said at least one application program. At this point, there is confusion and contradiction because at least one means it might execute only one (contradicted to the assumption of more than one).

Using **a sequence** of "said at least one..." does not make the claim sufficient antecedent basis; but ambiguously points out the claim subject maters.

Applicant should use only "receiving an application program" and "said application". Since the use one application, the added limitation *program scripts (3) and non-compiled screen definitions* should be amended so that they are part of "one application program".

For these reason, examiner submits that in the current claim, the terms "application program",

"at least one application program", "said at least one application program" are all unclear.

Claims 2, 14, and 26 are indefinite because they are dependent on the indefinite Claims.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.   Claim 3 is rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Corporation

(hereinafter: Microsoft) "Microsoft Windows CE Toolkit for Visual Basic 6.0 Guided Tour",

MSDN Library, 7-1999.

As per Claim 3: Microsoft discloses,

3. (previously presented) A method for executing application programs, comprising:

receiving at least one application program in a client device;
(Windows CE is installed and run in a handheld client device. For example, see Figure 5, shows

an application name "Project1" created by Visual basic and run in a Handheld PC Pro as a
default Device);

activating said at least one application program;
See "Project1"; User who creates the "Project1" can rename this application properly (e.g.
"NorthwindCustomerInformatiuon"). See Figure 14, a toolkit that provides an application is
registered in the file system of a "client device" such as Handheld PC Pro, so that when the
"project1" can be carried under this toolkit. See page 4, "Starting the Windows CE project");

instantiating a run-time engine;
See Figure 14, it includes "run", "debug", i.e. "project1" (of Figure 5) can be run or debug by a
run-time engine of the Handheld PC Pro)

executing said at least one application program by said run-time engine;

**registering a process identification corresponding to said activated
said at least one application program; and**

executing a GO method by said run-time engine.

(See Figure 14, it provides a run engine "run" or "debug" as in the manner of compilation when
a "new project" completely coded; moreover, the Toolkit included with "Setting the Project
Properties" (See page 4) provides screen definition setting).

8.   Claims 1, 13, 15, 25, and 27 are rejected under 35 U.S.C. 102(a) as being anticipated by

Bonifati et al., "Building Multi-device, Content-Centric Applications Using WebML and the

W3I3 Tool Suite", 1-2000, Springer-Verlag, pages 64-75.

As per Claim 1: (currently amended) ***A method for executing application***

programs, comprising:
receiving at least one application program in a handheld mobile
wireless client device, said at least one application program comprising compiled
program scripts and non-compiled screen definitions;

(A tool in a server side that builds mobile application (see p. 68: i.e. application coded in
WebML), this application is received by a mobile device (See p. 70: sec 4, i.e. WAP-enable
mobile phone); the mobile application includes pages and style sheets, which are "sever-side
scripting language" such as ASP or JSP (see p. 68: sec. 3, p. 69, sec. 3.2: i.e. *compiled program
scripts* and *non-compiled screen definitions;* or see p. 66: style sheet/DTD)

***activating said at least one application program in said handheld
mobile wireless client device;***

See p. 73, Fig 6 and its description text in the last three lines

***instantiating [[a]] <u>said</u> run-time engine in said handheld mobile
wireless client device; and***
(Note a screen of a mobile phone shown in Fig. 6 is a runtime engine. See p. 66, sec. 2.3:
instance is displayed on mobile phone screen   )

***executing said at least one application program by said run-time
engine in said handheld mobile wireless client device to create screen definitions
<u>from said non-compiled screen definitions</u> with said at least one application
program at run-time as if said screen definitions had been defined at compile
time.***
See p. 73: Fig. 6 is result of a running application from the screen interface/template generation
via Hypertext Model.

<u>As per Claims 13, 15, 25, and 27</u>: Claims 13, 15, 25 and 27 have the limitation corresponding to
functionality performed by the method of Claim 1. The claims are rejected in the same reason
set forth in connecting to the rejection of Claim 1.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or
described as set forth in section 102 of this title, if the differences between the subject
matter sought to be patented and the prior art are such that the subject matter as a whole
would have been obvious at the time the invention was made to a person having ordinary
skill in the art to which said subject matter pertains. Patentability shall not be negatived
by the manner in which the invention was made.

10.   Claims 2, 14, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bonifati et al., "Building Multi-device, Content-Centric Applications Using WebML and the

W3I3 Tool Suite", in view of Microsoft.com (hereinafter: Microsoft-2), "The Windows® CE

SDK- The Tools You Need to Program the Handheld PC", Microsoft Systems Journal, 4-1997.

As per Claim 2:

        -Bonifati does not disclose the limitation recited in Claim 2. However, Bonifati suggests
its Engine is web supported, interacted with a server-side that produces HTML pages, web sites,
on the mobile phone.

        -Microsoft discloses (a handheld device using Windows CE that is able to register an
application via a registry edit (See Microsoft-2, p. 7-8, Figure 5)) *registering said at least one
application program with an operating system of said client device; and displaying an icon
configured to represent said at least one application program in response to said registration*.

        -Therefore, it would be obvious to ordinary in the art to incorporate the registry system as
Microsoft into the disclosure of Bonifati as for conforming to an execution requirement of
operating system standardized in any computing device; thus, it allows the device to know the
application.

As per Claims 14 and 26: Claims 14 and 26 have the limitation corresponding to functionality
performed by the method of Claim 2. The claims are rejected in the same reason set forth in
connecting to the rejection of Claim 2.

Allowable Subject Matter

11.   Allowable subject matter of Claims 4-12, 16-24 and 28-36

        Claims 4-12,16-24 and 28-36 are allowed because the independent Claims of these

Claims are rewritten in independent form including all of the limitations of the base claim and

any intervening claims in accordance to Allowable subject matter in the prior action.

Conclusion

12.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The

examiner can normally be reached on 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wei Y. Zhen can be reached on (571) 272-3708.

The facsimile number for the organization where this application or proceeding is assigned is the

Central Facsimile number 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be

directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of

an application may be obtained from the Patent Application Information Retrieval (PAIR)

system. Status information for published applications may be obtained from either Private PAIR

or Public PAIR. Status information for unpublished applications is available through Private

PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

TTV
January 30, 2010

/Ted T. Vo/
Primary Examiner, Art Unit 2191